

218.94 Director may buy and sell real estate — options — fund.

1. *a.* The director may secure options to purchase real estate, to acquire and sell real estate, and to grant utility easements, for the proper uses of the institutions. Real estate shall be acquired and sold and utility easements granted, upon such terms and conditions as the director may determine. Upon sale of the real estate, the proceeds shall be deposited in a health and human services capital reinvestment fund created in the state treasury under the control of the department. There is appropriated from such capital reinvestment fund a sum equal to the proceeds deposited and credited to the capital reinvestment fund to the department, which may be used to purchase other real estate, for capital improvements upon property under the director's control, or for improvements to property which is owned by the state and utilized by the department.

b. Notwithstanding [section 8.33](#), moneys in the capital reinvestment fund shall not revert at the close of a fiscal year, and shall not be transferred, used, obligated, appropriated, or otherwise encumbered, except as provided in [this section](#). Notwithstanding [section 12C.7, subsection 2](#), interest or earnings on moneys deposited in the fund shall be credited to the fund.

c. Any proceeds from the sale of real estate that were credited to the general fund of the state pursuant to [section 218.94, Code 2022](#), and that remain available on June 30, 2023, are transferred to the capital reinvestment fund to be used for the purposes of the fund.

2. The costs incident to securing of options, acquisition and sale of real estate and granting of utility easements, including but not limited to appraisals, invitations for offers, abstracts, and other necessary costs, may be paid from moneys appropriated for support and maintenance to the institution at which the real estate is located and the source from which the moneys were appropriated shall be reimbursed from the proceeds of the sale.

[C62, 66, 71, 73, 75, 77, 79, 81, §218.94]

[83 Acts, ch 96, §157, 159](#); [86 Acts, ch 1244, §29](#); [2019 Acts, ch 24, §104](#); [2023 Acts, ch 19, §411](#); [2023 Acts, ch 112, §52](#)

Section amended